



04-13-06

Docket No. 4819-4748

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Aimo JÄRVINEN; Marko LAHTINEN; and Heikki TAKALA

Group Art Unit: TBD

Serial No.: 10/544,272

Examiner: TBD

Filed: August 3, 2005 (corrected to be August 2, 2005)

For: METHOD FOR RECOVERY OF ZINC BY COUNTERCURRENT
LEACHING

Customer ID: 27123

EXPRESS MAIL CERTIFICATE

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: EV 826875887 US

Date of Deposit: April 11, 2006

I hereby certify that the following attached paper(s) and/or fee:

1. Petition to Correct Erroneously Accorded Filing Date (37 CFR § 1.10(c)) (3pgs);
2. Copy of the Express Mail mailing label "EV 622502116 US" (Exhibit 1- 1pg.);
3. Copy of the EXPRESS MAIL CERTIFICATE identifying the items deposited under Express Mail label number "EV 622502116 US" having a "Date Of Deposit" of August 2, 2005 in the USPS (Exhibit 2- 1pg.);
4. Itemized return postcard receipt that accompanied the application papers which has an incorrectly stamped date of August 3, 2005 (Exhibit 3- 1pg.); and
5. Return Receipt Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mail Stop PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jafet Cotto

(Typed or printed name of person mailing
papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

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Docket No. 4819-4748

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Aimo JÄRVINEN; Marko LAHTINEN; and Heikki TAKALA

Group Art Unit: TBD

Serial No.: 10/544,272

Examiner: TBD

Filed: August 3, 2005 (corrected to be August 2, 2005)

Confirmation No. 8669

For: METHOD FOR RECOVERY OF ZINC BY COUNTERCURRENT
LEACHING

Customer ID: 27123

**PETITION TO CORRECT ERRONEOUSLY ACCORDED
FILING DATE (37 CFR § 1.10(c))**

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants, pursuant to the provisions set forth under 37 CFR § 1.10(c), hereby request that the above-captioned application for patent be accorded a filing date of **August 2, 2005**. No petition fee is believed to be required.

EV 826875887 US

REMARKS

On August 2, 2005, the instant application was deposited with the United States Postal Service (USPS) using the "Express Mail Post Office To Addressee" service as provided for under 37 CFR § 1.10(a). The Express Mail package, bearing Express Mail label "EV 622502116 US" was clearly marked by the USPS with a "Date In" of August 2, 2005 ("8 2 05"). Upon receipt of the application, however, the United States Patent and Trademark Office (USPTO) erroneously accorded the application a filing date of August 3, 2005, one day after the August 2, 2005 date clearly identified in the "Date In" box of the Express Mail mailing label. A true copy of the Customer Copy of the Post Office To Address Express Mail mailing label "EV 622502116 US" is attached hereto as Exhibit 1. It should also be noted that the Express Mail mailing label, in the lower portion of the "FROM" box, included the "4819-4748" attorney docket number for the present application.

Attached hereto is (1) a true copy of the Express Mail mailing label "EV 622502116 US;" (2) a true copy of the EXPRESS MAIL CERTIFICATE identifying the items deposited under Express Mail label number "EV 622502116 US" having a "Date Of Deposit" of August 2, 2005 in the USPS; and (3) the itemized return postcard receipt that accompanied the application papers which has an incorrectly stamped date of August 3, 2005. Copies of each of these items are attached hereto as Exhibit 1, Exhibit 2, and Exhibit 3, respectively.

CONCLUSION

On the basis of the above remarks and attached documents, Applicants respectfully submit that all of the provisions of 37 CFR 1.10(c) for granting the present Petition and according the instant application a filing date of August 2, 2005 have been satisfied.

EV 826875887 US

Accordingly, Applicants request that the instant application for patent be accorded a filing date of August 2, 2005, *i.e.*, the date of deposit with the USPS shown as the "Date In" on Express Mail label "EV 622502116 US" as set forth under 37 CFR § 1.10(a).

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4819-4748. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: April 11, 2006

By: 

Evelyn M. Kwon
Registration No. 54,246

Correspondence Address:

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New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile

Accordingly, Applicants request that the instant application for patent be accorded a filing date of August 2, 2005, *i.e.*, the date of deposit with the USPS shown as the "Date In" on Express Mail label "EV 622502116 US" as set forth under 37 CFR § 1.10(a).

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4819-4748. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: April 11, 2006

By: 

Evelyn M. Kwon
Registration No. 54,246

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EV 622502116 US

**EXPRESS
MAIL**

UNITED STATES POSTAL SERVICE®

Customer Copy
Label 11-F, April 2004

Post Office to Addressee

ORIGIN (POSTAL SERVICE USE ONLY)

PO ZIP Code 10007	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	Postage \$ 13.65
Date Accepted 8-2-05	Scheduled Date of Delivery	Return Receipt Fee \$
Mo. Day Year 8 2 05	Month Day 8 2	Scheduled Time of Delivery COD Fee Insurance Fee \$ \$
Time Accepted 1005 PM	<input type="checkbox"/> Noon <input type="checkbox"/> 3 PM	Total Postage & Fees \$ 13.65
Flat Rate <input type="checkbox"/> or Weight 0.75 lbs.	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Acceptance Emp. Initials
Int'l Alpha Country Code		

DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		

☐ **WAIVER OF SIGNATURE (Domestic Mail Only)** Additional merchandise insurance is void if waiver of signature is requested. If wish delivery to be made without obtaining signature of addressee or addressee's agent, delivery employee judges that article can be left in secure location and I authorize that delivery employee's signature constitutes valid proof of delivery.

☐ **NO DELIVERY** ☐ Weekend ☐ Holiday

Customer Signature

CUSTOMER USE ONLY**METHOD OF PAYMENT:**

Express Mail Corporate Acct. No.

Federal Agency Acct. No. or
Postal Service Acct. No.**FROM: (PLEASE PRINT)**

PHONE 212 415-8559

BARTHOLOMEW VERDIRAME
MORGAN & FINNEGAN LLP
3 WORLD FINANCIAL CTR
NEW YORK, NY 10281-2101
USA**TO: (PLEASE PRINT)**

PHONE

MAIL STOP: BOX PCT

COMMISSIONER FOR PATENTS

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): JÄRVINEN, Aimo; LAHTINEN, Marko; and TAKALA, Heikki

Group Art Unit: Not Yet Assigned

Serial No.: Not Yet Assigned

Examiner: Not Yet Assigned

Filed: August 1, 2005 (Herewith)

For: METHOD FOR RECOVERY OF ZINC BY COUNTERCURRENT LEACHING

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Express Mail Label No.: **EV 622502116 US**
Date of Deposit: August 2, 2005

EV622502116US

I hereby certify that the following attached paper(s) and/or fee:

1. Transmittal letter to the US Designated Elected Office Concerning Filing Under 35 USC 371 (2 pps);
2. Preliminary Amendment (5 pp);
3. Information Disclosure Statement (1 pp);
4. PTO Form 1449A (1 pp) and (1) Cited non US Reference;
5. Specification: (11 pps); Claims: (3 pps); Abstract (1 pps); Drawings (1 sheet);
6. Published International Application with International Search Report;
7. Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (1 pp);
8. Notification of Transmittal of International Preliminary Report On Patentability (1 pp) and International Preliminary Report on Patentability (6 pps); and
9. Return Receipt Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Albert Isles

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

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Case No. 4819-4748 Serial No. 10/544272
Date Mailed August 2, 2005 ATTY. BV
Date Due in the Patent Office JC10 Rec'd PCT/PTO 03 AUG 2005

The return of this post card, properly stamped, will
acknowledge receipt in the Patent & Trademark Office

1. Transmittal letter to the US Designated Elected Office Concerning Filing Under 35 USC 371 (2 pps);
2. Preliminary Amendment (5 pp);
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8. Notification of Transmittal of International Preliminary Report On Patentability (1 pp) and International Preliminary Report on Patentability (6 pps);
9. Return Receipt Postcard
10. Express Mail Certificate No. EV622502116US